

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

10 March 1969

PERSONAL-CONFIDENTIAL

Mr. Kenneth E. BeLieu
Deputy Assistant to the President
for Congressional Relations
The White House
Washington, D. C.

OGC Subject:
legislation, S. 782

Dear Ken:

Re: Ervin Bill, S. 782

Enclosed are copies of the Director's 28 February 1969 request to appear before an executive session of Senator Ervin's Subcommittee, and Senator Ervin's response of 4 March 1969 inviting us to appear at an open hearing. Also enclosed is a copy of Senator Ervin's letter to the Director of 5 March 1969 referring to CIA's "totalitarian powers" and inviting us to present drafts of any proposed amendments to the bill which we deem essential.

To bring you up-to-date on developments regarding this problem:

On 26 February I reviewed the matter at length with Representative David N. Henderson who reaffirmed his concern and support. He still believes the best solution is a complete exemption for CIA, NSA and FBI, but says he has to work discreetly in order to avoid a head-on clash with Ervin. Henderson said that, during the last session, Mr. Hoover told him privately the bill did not seriously affect the FBI, but it would undoubtedly cause grave problems for other security agencies. Henderson said he will try to get Hoover to make such a statement publicly but is not optimistic.

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On 26 February of my Office, talked with Senator Eastland who seemed completely sympathetic to our problem and suggested that if we are refused an appearance before the Ervin Subcommittee, we request a hearing before Eastland's full Committee.

On 6 March the Director wrote to Secretary Rogers and Secretary Laird inviting their attention to the problem (copies enclosed).

A couple of weeks ago, the Director mentioned the problem to Senator Stennis, who didn't commit himself to do anything but recommended we keep Ed Braswell fully informed.

I have spoken several times with Senators Bayh and Jackson who understand the problem and will try to be helpful.

We have told Senator McClellan of our concern about the Ervin bill, but have not briefed him on details. However, McClellan appears completely sympathetic with our efforts to maintain a tight personnel security system, and I think will want to be helpful (but like his colleagues, will probably shy off from a direct confrontation with Ervin).

We have kept Bill Woodruff and Ed Braswell informed, and they suggest that our best course is to continue to press the matter vigorously with Senator Ervin and members of the Judiciary Committee (although experience to date offers little ground for optimism in this regard).

On the House side, Representative Lipscomb promises to go to bat for us when the time comes.

Bun Bray, House Post Office and Civil Service Committee staff, is, per Henderson's direction, drafting a revision of the Ervin text granting us a complete exemption. (Incidentally, Bray tells us Ervin is already busy lobbying for his bill on the House side.)

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Among Executive agencies, Bob Hampton and Tony Modello, of the Civil Service Commission, apparently are very much for us, and Roger Jones, of the Bureau of the Budget, is well up on the problem and says we should assume we have carte blanche from the Bureau to continue our work against the bill.

Frank A. Bartimo, Assistant General Counsel (Manpower), Department of Defense, will probably get the action on the letter to Secretary Laird. He testified against S. 1035 last year and naturally feels just as strongly about S. 782. He feels, however, that someone should get Jack Stempler off the dime.

On 10 March Larry Houston and I explained our problem to Walter Yeagley, John Dean and Kevin Maroney in Justice. They agree the bill is basically bad, and feel that the worst aspect from the standpoint of this Agency is the provision giving aggrieved employees and applicants access to Federal courts. Dean mentioned having seen a memo from the FBI to the Deputy Attorney General strongly criticizing the predecessor bill, S. 1035.

John M. Maury
Legislative Counsel

Enclosures

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Remarks: Jack: Following is a suggested additional paragraph for your letter to Ken Belieu: Frank A. Bartimo, Assistant General Counsel (Manpower), Department of Defense, will probably get the action on the letter to Secretary Laird. He testified against S. 1035 last year and naturally feels just as strongly about S. 782. He feels, however, that someone will have to get Jack Stempler off the dime. We plan to be in touch with John W. Dean, Associate Deputy Attorney General for Legislation, Department of Justice, next week. So far as we know, Justice opposes particularly those			
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provisions giving immediate access to the
courts and to the Board on Employees' Rights.

LRHouston